IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET

CIVIL APPLICATION NO.4144 OF 2002
IN
FIRST APPEAL NO.1511 OF 2002

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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Mr.V.P.Shintre and Mr.Damle for the Applicant
Mr.Tejas Dande for Respondent No.1

CORAM: A.S.OKA, J.
DATE : SEPTEMBER 18,2007.

P.C.:

1. Heard the learned counsel for the parties. The learned counsel for the first Respondent seeks time. Considering the nature of relief claimed, time cannot be granted.

2. The suit filed by the Applicant-bank has been dismissed by the impugned order. However, the learned trial Judge has held that the plaintiff has established the liability of the first defendant. The First Appeal has already been admitted for final hearing. The applicants will be sufficiently protected if temporary

injunction is granted against the first Respondent restraining him from creating third party interests in respect of the suit property (Mortgaged property). The learned counsel for the first Respondent states that the first Respondent does not intend to create any third party interests in respect of the property in question. The statement is accepted. In view of this statement, it is not necessary to grant temporary injunction. Application is accordingly disposed of.

JUDGE